

**REMARKS**

Claims 1-65, 67-70, 72-79, and 82-88 are pending in the application. Claims 1-63, 67, 68, 72-79, 82-85, and 88 have been withdrawn. Claims 64, 65, 69, 70, 86, and 87 have been rejected. No Claims have been amended or canceled. Favorable reconsideration of the application in view of the following remarks is respectfully requested

Claims 64, 65, 69, 70, 86, and 87 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Eddy et al. in view of Donnelley et al. The Examiner states that Eddy et al. teach a fuser member having a base, and a fusing surface layer comprising a fluoroelastomer and filler particles with a modulus greater than the modulus of the fluoroelastomer. The filler is made of aluminum with a mean particle diameter of about 1 to 100 microns. It is the conclusion of the Examiner that "It would have been obvious to one of ordinary skill in the art, at the time of the invention, to have provided the invention of Eddy et al. with plastic filler particles such as polytetrafluoroethylene, in light of the teachings of Donnelley et al., in order to reduce offset and mechanical breakdown as suggested by Donnelley et al." Applicants respectfully traverse this rejection.

Eddy et al., at col. 6, lines 25-67 state that to increase thermal conductivity it is preferred a thermally conductive filler be added to the outer fluoropolymer layer. The advantage of the Eddy et al. invention is increased thermal conductivity and release (col. 3, line 33-36). The thermally conductive filler can be a metal oxide, preferably alumina. PTFE is not thermally conductive, thus Eddy et al. teaches away from the present invention. Donnelley et al., at col. 4, line 71 to col. 5, line 15 teach that fillers for a fixing roller require a low surface energy and that conventional fillers of inorganic oxides have surface energies that are not suitable. Thus, the teaching of Donnelly et al. and Eddy et al. are in opposition to one another. The Examiner rejects this argument by noting that Eddy et al. teach a whole array of fluoroelastomers as suitable for the fusing surface layer material. This rebuttal by the Examiner conflates the surface layer material with the filler particles. Eddy et al. do not suggest or teach that filler particle can be a fluoroelastomer. The Examiner also points to the suggestion in Eddy et al.

that silicone particles may be added to the layer fluoropolymer layer to increase toner release. However, silicone particles are not an element of Applicants' claims. Moreover, the claims and Examples all of Eddy et al. require thermally conductive particles.

The Examiner has ignored the teaching of Donnelly et al. in combining the references. Donnelly et al. specifically teach and claim a silicone elastomer containing fillers as the fixing surface. Thus, the Examiner has ignored the teaching of the silicone elastomer in Donnelly et al. The Examiner has picked an element from Eddy et al. (the fluoroelastomer) and an element from Donnelly et al. (filler particles) to recreate Applicants' invention. This is done while ignoring the teaching in Eddy et al. of fillers of micron sized alumina particles and silicone (col. 4 line 44-53, Figure 3) to increase thermal conductivity and toner release.

In view thereof, it follows that the subject matter of the claims would not have been obvious of Eddy et al. in view of Donnelley et al. at the time the invention was made.


Applicants have reviewed the prior art made of record and believe that singly or in any suitable combination, they do not render Applicants' claimed invention unpatentable.

In view of the foregoing remarks and amendment, the claims 64, 65, 69, 70, 86, and 87 are now deemed allowable and such favorable action is courteously solicited.

Should the Examiner consider that additional amendments are necessary to place the application in condition for allowance, the favor is requested of a telephone call to the undersigned counsel for the purpose of discussing such amendments.

Respectfully submitted,

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